

Rombough, Kyrik

From: Smith, Kim
Sent: Friday, November 14, 2008 7:17 AM
To: Gustafson, Brian; Rombough, Kyrik
Cc: Duvall, Ron
Subject: FW: Hyperion Air Quality Permit

Hyperion comment.

Kim

-----Original Message-----

From: Gregg Hanson [mailto:greggh12@evertek.net]
Sent: Thursday, November 13, 2008 11:43 PM
To: DENR INTERNET INFORMATION
Subject: Hyperion Air Quality Permit

DENR:

We are writing to voice our ardent opposition to the issuance of the draft air quality permit for the Hyperion Energy Center in Union Co. Too little of the overall impact has adequately been assessed to proceed with this permit. Despite the considerable political pressure that is being brought to bear on you for moving this forward, it is vital that the DENR look to the greater good of the country, the state, and this local area in particular and put the brakes on this permitting process.

To issue the permit (draft or otherwise) without the completion of a **comprehensive Environmental Impact Study** is to move forward without a complete picture of the effects of this project. The dollars generated (maybe -- that's not certain yet) will in no way compensate for the damage that could and will be done to this area if this permit is granted. At this point, the project is progressing on hypothetical model predictions and vague, unproven "promises". As an engineer (by training, practice, and licensing), my (Gregg) experience with computer modeling has shown that results can be significantly altered, for good or bad, by slight adjustments to the foundational assumptions, methods, or constraints. To rely on hypothetical predictions without real world verifications is to place a great deal of "trust" in the entity controlling the model -- and I believe that all the modeling has been submitted by Hyperion, not done by the DENR or an independent firm providing far too much opportunity for favorable manipulation. I urge you not to accept the modeling as valid for quantifying effects and to withhold issuance of the permit until the full environmental impact study has been completed and thoroughly reviewed. (Even the U.S. Navy has been criticized for not completing an environmental impact study before conducting sonar training off the coast of California -- and when they turn the sonar off, it stops. If the refinery is built, it will go on and on and on even if production stops, making knowledge of the impact more important.)

On a practical level, there has never been any serious doubt that the Hyperion Energy Center (or any other industrial complex located on this site, should the refinery fail to materialize) will have a significant and **NEGATIVE** impact on the air, water, and environmental quality of central Union Co. Hyperion itself has stated it will generate over 8000 **tons** of pollutants each year. The "good" thing they put forth is that this isn't really all that much compared to this or that source and that the area is so clean now that we'll still be cleaner than other areas of the country, maybe even Sioux Falls. Well, speaking as one who lives a mile down wind and down water from this site, I am not comforted by that because in the immediate area, things will undoubtedly be much worse after Hyperion than before. They say it

11/14/2008

won't be too bad -- but we know it will be worse.

People who live away from the site and are relatively unaffected may think this is a grand project (tracking the voting results -- the farther away, the more the support; go figure). I don't see very many of those folks clamoring to buy property nearby and move in to live close to it. In fact, many of those optioning land to Hyperion are already -- and have been -- looking to move away, in essence, they will allow a mess but not have it be a mess they have to deal with. This is disappointing, but not surprising. The point to take away from this should be that many of the letters of "support" come from people and businesses who are either unaffected directly by the consequences of the project or are simply looking to make a buck from it. Those of us who will bear the burden of this are understandably not as enthused.

The DENR has set up air and water quality monitoring stations in the area. After looking at the map, we are not convinced these locations will be effective. Four water monitoring and three air monitoring locations seem pretty skimpy -- and none of the air stations are located very close to the site. Brad Schultz, of the SD DENR, noted that the monitoring sites were a distance away because DENR could not find landowners who would agree to having the stations located on their land. We are one mile south of the east edge of the Hyperion site and no one contacted us about locating a monitoring station on our property. This seems to be an incomplete effort and might lead to questions about thoroughness in evaluating this and other areas of the permit evaluation. Also, the monitoring stations have just been installed and there will not be adequate time to gather baseline data on the current conditions before the permit would be issued -- if any problems were subsequently found, it would be "too late".

We are also concerned about the role that Hyperion is attempting (and being allowed) to play in proposing a schedule for the hearing and review process. While this may be a magnanimous and helpful effort, it really seems to be more likely that they are trying to control and drive the entire process. Hyperion has seemed to have an extreme amount of access and influence on all areas of this project. Granted, they are an "interested" party. However, the governing bodies accepting the level of influence they have tried to exert -- and apparently successfully have exerted -- throughout this process seems to be very much akin to allowing the fox to oversee building the fence around the hen house. Trusting them to work for the good of the local residents and area in all circumstances, even at the expense of their own interests is foolish and naive. Unfortunately, the governing bodies have largely bought into this project to such an extent that we, the people, cannot trust them to be looking out for us.

Even something like where the public hearings will be held are not being pursued with the good of the people of this area in mind. All along, the Hyperion project has been portrayed as being a "local" project that should be handled "locally". So, to this end, the Governor and his entourage have played a huge role and all kinds of outside interests have stepped in, yes, on both sides. The hearings on this air permit are tentatively scheduled to be in Pierre, not locally and all communications about them repeatedly invoke a time frame of "several weeks" and state that anyone wishing to participate must be present the entire time. This seems specifically aimed at minimizing the input and involvement of the front-line, local folks who have silly things to do with their time like making a living, while for the folks in government and Hyperion, this IS their job and they can afford to spend that time there. This is not a user-friendly process.

In summary, here are our requests and observations:

1. A comprehensive environmental impact study should be completed and reviewed before the air quality permit is issued.
2. Computer modeling is not an adequate substitution for real data, especially not modeling provided by Hyperion.
3. The public hearings and proceedings should be held locally and the processes set up to facilitate participation by the local people who will be most affected by this project.

4. Hyperion should not be setting the schedule nor controlling the process for permit review.
5. The monitoring stations could have been located closer to the site.
6. The air and environmental quality will be damaged by the Hyperion Energy Center.

Again, we urge you not to proceed with issuing the air quality permit and to take further steps to safeguard the environment and our homes.

Sincerely,
Gregg and Risa Hanson
Elk Point, SD